AO 199A (Rev. 06/19) Order Setting Conditions of Release

United States District Court
Southern District of Texas

ENTERED

UNITED STATES DISTRICT COURT

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February 24, 2025 Nathan Ochsner, Clerk

for the District of Southern Texas United States of America 4:24-cr-00543-2 ٧. Michael H. Dunphy Defendant ORDER SETTING CONDITIONS OF RELEASE IT IS ORDERED that the defendant's release is subject to these conditions: The defendant must not violate federal, state, or local law while on release. (1) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702. The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change (3) of residence or telephone number. The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court (4)may impose. The defendant must appear Date and Time

Pretrial Services, 515 Rusk St., 6th Floor, Houston, TX 77002

Place

If blank, defendant will be notified of next appearance.

(5) The defendant must sign an Appearance Bond, if ordered.

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or () as

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

The defendant is placed in the custody of: Person or organization Address (only if above is an organization) Tel. No. who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody. Signed: Date Custodian (⋈) (7) The defendant must: Pretrial Services (⋈) (a) submit to supervision by and report for supervision to the telephone number , no later than (🗵) (b) Maintain or actively seek FULL-TIME verifiable employment. If legally allowed to work and provide proof to the US Probation officer (\square) (c) continue or start an education program. (\square) (d) surrender any passport to: U.S. Probation within 24 hours of release () (e) not obtain a passport or other international travel document. **SDTX** (\(\)) (f) abide by the following restrictions on personal association, residence, or travel: Outside travel to be preapproved by the US Probation Office avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, (⊠) (g) Co Defendants or Co Conspirators, witnesses, victims or potential victims, any person named in the charging instrument. No contact including: with any Bandidos member, except those employed at the same tattoo parlor. () (h) get medical or psychiatric treatment: o'clock after being released at o'clock for employment, schooling, () (i) return to custody each or the following purposes: () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary. (⋈) (k) not possess a firearm, destructive device, or other dangerous weapon, including brass knuckles (⋈) (l) not use alcohol (☐) at all (⋈) excessively. (🗵) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical medical practitioner. Do not use or consume products containing or marketed as cannabidiol (CBD) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency ([]) (n) and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or

testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

(🗆) (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance

11) from

abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by

() (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

(🖂) (p) participate in one of the following location restriction programs and comply with its requirements as directed.

directed by the pretrial services office or supervising officer; or

() (i) Curfew. You are restricted to your residence every day (

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ADDITIONAL CONDITIONS OF RELEASE

(🗆)	(q)	submit to the following location monitoring technology (check one):			
	() (i) Location monitoring technology as directed by the pretrial services or supervising officer; or				
		() (ii) GPS; or			
		() (iii) Radio Frequency; or			
		() (iv) Voice Recognition; or			
		(v) Virtual Mobile Application. You must allow the pretrial services or supervising officer to conduct initial and periodic			
		inspections of the mobile device and mobile application to verify that 1) the monitoring software is functional, 2) the			
		required configurations (e.g., locational services) are unaltered, and 3) no efforts have been made to alter the mobile			
		application.			
		the second secon			
(🗆)	(r)				
		determined by the pretrial services or supervising officer			
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		questioning, or traffic stops. Within 72 hours.			
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ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both:
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years you will be fined not more than \$250,000 or imprisoned for not more than five years, or both:
- (3) any other felony you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

myADe

Directions to the United States Marshal

(□)	The defendant	is ORDERED	released at	ter processing.
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(🗵) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date:

February 24, 2025

mancial Officer Asignature

Yvonne Y. Ho, U.S. Magistrate Judge

Printed name and title